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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **OAKLAND DIVISION**

11 Abdi Nazemian, et al.,
12 Plaintiffs,
13 vs.
14 NVIDIA Corporation,
15 Defendant.

16 Andre Dubus III, et al.,
17 Plaintiffs,
18 vs.
19 NVIDIA Corporation,
20 Defendant.

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22 **JOINT STIPULATION AND ~~PROPOSED~~**
23 **ORDER CONSOLIDATING CASES**

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28 Case No. 4:24-cv-01454-JST (SK)
 Case No. 4:24-cv-02655-JST (SK)

JOINT STIPULATION AND ~~PROPOSED~~ ORDER CONSOLIDATING CASES

Pursuant to Federal Rule of Civil Procedure 42(a) , Plaintiffs Stewart O’Nan, Abdi Nazemian, Brian Keene, Susan Orlean, Andre Dubus III and Defendant NVIDIA Corporation jointly request that the above captioned actions (the “Actions”) be consolidated for all pretrial and trial proceedings. The parties, by and through their respective counsel of record, hereby stipulate the following:

1. WHEREAS, Plaintiffs Abdi Nazemian, Brian Keene, and Stewart O’Nan filed a Complaint on March 8, 2024 against Defendant NVIDIA Corporation in *Nazemian, et al. v. NVIDIA Corp.*, Case No. 4:24-cv-01454-JST (N.D. Cal. March 8, 2024) (the “*Nazemian Action*”) (*Nazemian* Dkt. No. 1);

2. WHEREAS, on May 2, 2024, Plaintiffs Andre Dubus III and Susan Orlean filed a Complaint against Defendant NVIDIA Corporation in *Dubus, et al., v. NVIDIA Corp.*, Case No. 4:24-cv-02655-JST (N.D. Cal. May 2, 2024) (the “*Dubus Action*”) (*Dubus* Dkt. No. 1);

3. WHEREAS, on May 23, 2024, Plaintiffs filed an Administrative Motion to Consider Whether Cases Should be Related seeking to relate the *Dubus Action* to the *Nazemian Action* (*Nazemian* Dkt. No. 37);

4. WHEREAS, on May 29, 2024, this Court granted the motion and related the *Dubus Action* to the *Nazemian Action* (*Nazemian* Dkt. No. 47; *Dubus* Dkt. No. 17);

5. WHEREAS, on April 29, 2025, NVIDIA filed a motion to consolidate the *Nazemian Action* and *Dubus Action*. See *Nazemian* Dkt. No. 135; *Dubus* Dkt. No. 87.

6. WHEREAS, the parties agree that consolidation of the Actions will advance the just and efficient progress of this litigation (including in ongoing discovery in the Actions), reduce case duplication, conserve Court time and resources, avoid the need to contact parties and witnesses for multiple proceedings, minimize expenditure of time and money for all parties involved, and avoid the risk of inconsistent rulings. See Fed. R. Civ. P. 42(a);

7. WHEREAS, the parties have conferred and agreed that going forward, the *Nazemian Action* and the *Dubus Action* shall be consolidated for all purposes under Federal Rule of Civil Procedure 42(a);

26 NOW, THEREFORE IT IS HEREBY STIPULATED AND AGREED by and between the Parties
27 and their respective counsel that, subject to the Court’s approval,

- 1 1. the *Nazemian* Action and the *Dubus* Action shall be consolidated for all purposes under
2 Federal Rule of Civil Procedure 42(a); and
3 2. the *Nazemian* and *Dubus* Actions shall be maintained under Master File Case No. 4:24-cv-
4 01454-JST (the “Consolidated Action”); and
5 3. Defendant’s motion to consolidate the *Nazemian* Action (*Nazemian* Dkt. No. 135) and the
6 *Dubus* Action (*Dubus* Dkt. 87) are denied as moot; and
7 4. Plaintiffs’ counsel shall file a proposal for the appointment of interim lead counsel by June 11,
8 2025.

1 Dated: May 12, 2025

Respectfully submitted,

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1 **{PROPOSED} ORDER**

2 **PURSUANT TO JOINT STIPULATION, IT IS SO ORDERED.**

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6 Dated: May 13, 2025

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The Honorable Jon. S. Tigar
U.S. District Court Judge